

United States District Court
WESTERN DISTRICT OF TENNESSEE
Eastern Division

FILED BY: 46
05 NOV 15 AM 11:39
D.C.
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

UNITED STATES OF AMERICA

JUDGMENT IN A CIVIL CASE

v.

DARRYL PAUL DUNCAN

CASE NUMBER: 05-1265-T/An

Decision by Court. This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that in compliance with the order entered in the above-styled matter on 11/14/05, the defendant's motion pursuant to 28 U.S.C. § 2255 is DENIED. It is further CERTIFIED that, pursuant to Fed. R. App. P. 24(a), any appeal is not taken in good faith and leave to appeal *in forma pauperis* is denied. If movant files a notice of appeal, he must also pay the full \$255 appellate filing fee or file a motion to proceed *in forma pauperis* and supporting affidavit in the Sixth Circuit Court of Appeals within thirty (30) days.

APPROVED:

James D. Todd
JAMES D. TODD
UNITED STATES DISTRICT JUDGE

THOMAS M. GOULD
CLERK

11/15/05
DATE

BY: C. Akend
DEPUTY CLERK



Notice of Distribution

This notice confirms a copy of the document docketed as number 3 in case 1:05-CV-01265 was distributed by fax, mail, or direct printing on November 18, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT